

The October 2nd interview with the Examiner centered around the calculations for the dry weight ratios for the pigment fraction to size fraction. See Applicants calculations as of September 8th, 2006, pages 12 and 13 in relation to Aho.

The Examiner agreed during the telephone interview that the Applicants calculations were correct. In light of this agreement, the Examiner asked the Applicants to submit an interview summary and based on the summary and review of the calculations, the Examiner would reconsider his response.

The calculations (see September 8th, 2006, pages 12 and 13) as agreed by the Examiner in the October 2nd interview are correct. Thus the Applicants believe the evidence (under 1.116(e)) should effectively close prosecution and lead to an allowance.

Fee for Extension of Time

An interview summary was submitted on October 2, 2006. However, this summary failed to reach the Examiner's desk as the incoming fax was titled "Interview Summary" with no indication that the paper was in fact a **Response to an Advisory Action after Final**.

Because response was made to the Advisory Action within four months of the Final Rejection, the **Applicants respectfully request that the additional petition for extension of time be waved.** In the event that this is not possible, the Applicants grant the Commissioner permission to charge any fee due, or credit any overcharge, as a result of this Amendment to Deposit Account No. 03-1935.

Double Patenting Rejection

The Applicants submitted in the last Office Action a terminal disclaimer to overcome the provisional obviousness double patenting rejection concerning application Serial No. 10.508,349. Thus the rejection was overcome.

However, the Applicants argued that the obviousness double patenting rejection concerning US 6,545,079 was inappropriate. The Examiner maintained his double patenting rejection based on US 6,545,079 in the Advisory Action of September 27, 2006. As the Examiner stated under Cont. 11" the method of the patent 6,545,079 and claimed herein are drawn to essentially the same concept but with different subsequent characterization..... **They are the same coating but with different characterizations thereof.**"

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However, the Applicants reiterate that the coatings are in fact not the same. See page 11 and 12 of the reply sent on September 8, 2006. US '079 requires a slurry of water, at least one wax-free polymer dispersion, talc particles of high purity, anti-foam agent and sodium hydroxide.

The present claims require a pigment fraction (talc particles with binder) and a sizing fraction comprised of a **water-soluble principle component**.

There is no mention in US '079 claims about a water-soluble principle component. Thus only part of the present composition is described in US '079. Thus the Applicants believe the double patenting rejection to be improper.

Reconsideration and withdrawal of the rejection of claims 17-19, 21-44, 46 and 72-74 is respectfully solicited in light of the remarks above.

Respectfully submitted,



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